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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 JOE J.W. ROBERTS, JR.,

9 Plaintiff,

10 v.

11 VILMA KHOUNPHIXAY, et al.,

12 Defendants.

CASE NO. 2:18-cv-00746-MJP-BAT

**ORDER DENYING MOTION FOR
ASSISTANCE AND REQUEST FOR
COUNSEL**

13 Before the Court is Plaintiff Joe J.W. Roberts, Jr.'s "Motion/Request for Assistance from
14 Court re: Lack of Resources to Draft Motions and Responses." Dkt. 55. Plaintiff seeks
15 "intervention from the court" because he does not have enough paper to file motions or to
16 respond to defendants' motions and he asks for court appointed counsel. *Id.*, p. 3.

17 The Court previously denied Plaintiff's motion for court appointed counsel. Dkt. 31.
18 Plaintiff has again failed to demonstrate the existence of exceptional circumstances to support his
19 request for counsel. Plaintiff is capable of articulating his claims *pro se*, his claims are not
20 complex, and he has not demonstrated a likelihood of success on the merits. *See, e.g., Wilborn v.*
21 *Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986); *Franklin v. Murphy*, 745 F.2d 1221, 1236 (9th
22 Cir. 1984); see 28 U.S.C. § 1915(e)(1). Although Plaintiff claims he is not given enough paper at
23 the Franklin County Jail, he continues to file numerous motions and he filed 80 pages of
materials with objections on November 8, 2018 (Dkt. 53-1) and a 29 page Amended Complaint

1 with 24 pages of exhibits on November 5, 2018 (Dkt. 52).

2 Accordingly, it is **ORDERED**:

3 (1) Plaintiff's motion for assistance and for counsel (Dkt. 55) is **DENIED**.

4 (2) The Clerk shall also send a copy of this Order to Plaintiff and counsel for
5 Defendants.

6 DATED this 3rd day of December, 2018.

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BRIAN A. TSUCHIDA
Chief United States Magistrate Judge